

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Brian Levine, John Barnett, Arthur Breen, Gregory Brown, Patricia Chichester, Chris Covert, Shelley Dross, Nancy Ferrante, Robert Godley, Annette Grant, Constance Graves, Kathryn Jamison, William Lightbody, Mickey Massiano, William McCartney, Andrew Niven, Daniel Osborne, Michael Resnick, Rosemary Sawyer, Linda Shaw, Thomas Sloan, John Stellar, Robin Taylor, Annette Tombolillo, Kimberly Vile, Sarah Washington, on behalf of themselves and all others similarly situated, and the Organization of New York State Management Confidential Employees (OMCE) on behalf of its members and by its Executive Director, Joseph Sano

Plaintiffs

vs.

CASE NUMBER: 1:10-CV-1007 (NAM/DRH)

David A. Paterson, Individually and as Governor or the State of New York, Thomas P. DiNapoli, Individually and as Comptroller of the State of New York, Robert L. Megna, Individually and as Budget Director of the Division of Budget, Laura L. Anglin, Individually and as the former Budget Director for the Division of Budget, Office of the State Comptroller, New York State Department of Audit and Control and the State of New York

Defendants

Decision by Court. This action came to hearing before the Court.

The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That defendants' Motion to Dismiss is GRANTED, plaintiff's state law claims are DISMISSED. The Amended Complaint is DISMISSED without prejudice and judgment is entered in favor of the defendants.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 30th day of September, 2011.

DATED: September 30, 2011



Lawrence L. Baum
Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk